



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

SEP 17 2019

ELECTRONIC MAIL -
RETURN RECEIPT REQUESTED

Harry Adams, President
Bulk Chemicals, Inc.
1074 Stinson Drive
Reading, PA 19605

**Re: Clean Air Act (CAA) 112(r) (1) and (7) Inspection of Bulk Chemicals, Inc. Facilities
located in Berks County, Pennsylvania on October 1 and 2, 2019 -
Pre-Inspection Letter**

Dear Mr. Adams:

The purpose of this letter is to inform you that your Shoemakersville, Blandon and Hamburg facilities ("Facilities") located at 809 Mohrsville Road, Shoemakersville (Perry Township), **Nonresponsive based on revised scope** Pennsylvania were selected for inspection to determine compliance with the prevention of accidental release provisions found in Section 112(r) of the Clean Air Act (CAA), 42 U.S.C. §§7414(r), as amended. Specifically, pursuant to CAA Section 112(r)(1) your facility will be evaluated to determine compliance with the General Duty Clause. In addition, pursuant to CAA Section 112(r)(7) your facility will be evaluated to determine compliance with the requirements to develop/implement a risk management program and submit a risk management plan (RMP) describing your program (collectively, RMP Rule) as required by 40 C.F.R. Part 68. The inspection will be conducted by myself, Mary Hunt and Patrick Beckley and may include document and record reviews, interviews with key personnel, taking photographs, Facility tours (including process tours) and any other inspection activities necessary to determine compliance. Based upon mutually agreed dates of October 1 and 2, 2019, the inspection is scheduled to start at approximately 9:30 am on October 1, 2019.

Facility employees and their representatives have the same right to participate as provided in the Occupational Safety and Health Act, pursuant to the Section 112(r)(6)(L) of the CAA, 42 USC §7412(r)(6)(L). Therefore, please notify union/employee representatives of the date and time of this planned inspection and make arrangement for their participation. A copy of this notice of inspection should be provided to the union/employee or employee representative and posted in the area(s) subject to the inspection and a generally accessible area.

To save time during the inspection, please have available for review and possible collection by the inspector the supporting documentation for the Facility's hazard assessment, prevention and emergency response program. Please have this information available in one central location and have knowledgeable personnel available to explain the specific details of any document which may be unfamiliar to the inspector. The following are additional items that should be available (if not already provided to EPA):

1. Block flow or simplified process flow diagrams for each regulated system.
2. Plot plans of the Facilities.
3. Demonstration of the site security and access restriction.
4. The original Process Hazard Analyses (PHAs) and/or Process Hazard Reviews (PHRs), any subsequent reviews and Process Safety Management (PSM) documentation.
5. Access to all regulated bulk storage area(s) and related information including the following:
 - a. The continuous air monitoring systems, including testing and preventive maintenance records.
 - b. The indoor storage areas, including hazardous warning signs.
 - c. The in-place mitigation measures and their maintenance.
6. The endpoint distance calculations of the worst-case scenario for RMP facilities.
7. The five-year accident history records for RMP facilities.
8. Records showing the coordination of your emergency response program.
9. The Safety Data Sheets of the hazardous process chemicals at all Facilities.
10. Employee and/or contractor training records (initial and refresher).
11. Industry codes or standards used to design, build and operate the process(es) at the Facilities.
12. Corporate information (headquarters location, corporate structure, corporate officer names and titles, incorporation date and location, annual sales, Facility locations) and inspection Facility information (Facility ownership/tenant history, date operations began, Facility size, operating shifts, number of people employed, Facility owner/tenant information, Facility operation and manufacturing process descriptions, NAICS codes, chemical railcar and tanker storage information).

13. The history/timeline of the chemical storage process(es) listing all major changes since the process(es) was/were initially installed at the Facilities.

Attached you will find a fact sheet and an inspection checklist describing details of what you can expect during the inspection. In addition, EPA has an informative web-site for Risk Management Program information at: <https://www.epa.gov/rmp>. Note that the 2017 RMP Amendments Compliance Obligations are now in effect now with Future Compliance Obligations coming on March 15, 2021. Please review the information on the following website: <https://www.epa.gov/rmp/risk-management-plan-rmp-amendments-compliance-information>

EPA is also requesting that you prepare and have available copies of documents that satisfy your reporting obligations pursuant to Section 312 of the Emergency Planning and Community Right-to-Know Act (EPCRA). Please provide the following information to inspectors during the inspection:

- a) Copies of Tier II Report forms submitted to the appropriate SERC, LEPC, and local Fire Department for those chemicals subject to EPCRA §311 at the Facility during calendar years 2016, 2017, and 2018, as required by Section 312 of EPCRA, 42 U.S.C. §11012; and
- b) Cover letters and documentation to support your submission to each reporting entity for each calendar year requested.

You are entitled to assert a business confidentiality claim covering all or part of the information which this letter requires. Any such claim should be made in accordance with the procedures described at 40 C.F.R. §2.203(b). EPA will provide the public with information subject to a claim of business confidentiality only in accordance with the procedures set forth at 40 C.F.R. Part 2, Subpart B. EPA may provide the public with any information not subject to such a claim without further notice. The required submission of information pursuant to Section 114 is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §§3501 *et seq.*

On April 11, 2000, EPA issued its revised final "Small Business Compliance Policy". This policy implements, in part, the Executive Memorandum of Regulatory Reform (60 Federal Register 20261, April 26, 1995) and Section 323 of the Small Business Regulatory Enforcement Fairness Act (SBREFA). Attached with this letter you will also find a SBREFA Information Sheet which will provide you with a variety of compliance assistance tools to assist you in complying with federal and state environmental laws. In addition, EPA has an informative website for Small Business Compliance and Enforcement, including the SBREFA Information Sheet, at: <https://www.epa.gov/compliance/small-business-compliance>.

Thank you in advance for your kind cooperation in conducting this work as we both strive toward the common goal of preventing potentially harmful accidental chemical releases. Should you have any questions, please contact me at (215) 814-3285.

Sincerely,

A handwritten signature in cursive script, reading "Michael Welsh".

Michael Welsh, P.E., RMP Coordinator
Oil and Prevention Enforcement Section
Enforcement and Compliance Assurance Division

cc: PEMA
Berks County DES

Attachments:

RMP Inspection and Enforcement Programs Fact Sheet (2019)
RMP Inspection Checklist
GDC Fact Sheet (2009)
GDC Inspection Checklist
Small Business Resources Information Sheet (2017)
EPCRA Fact Sheet (2017)